

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ELIZABETH PETROSINO, *individually
on behalf of herself and others similarly
situated,*

Plaintiff,

v.

STEARN'S PRODUCTS, INC. D/B/A
DERMA E[®],

Defendant.

Case No.: 7:16-cv-07735-NSR

**NOTICE OF MOTION TO
DISMISS SECOND AMENDED
COMPLAINT FOR LACK OF
PERSONAL JURISDICTION BY
STEARN'S PRODUCTS, INC.**

TO THE COURT, ALL INTERESTED PARTIES AND THEIR ATTORNEYS OF
RECORD:

PLEASE TAKE NOTICE THAT Defendant Stearn's Products, Inc. ("SPI"), will, and hereby does, move the Court before the Honorable Nelson S. Román, United States District Judge for the United States District Court for the Southern District of New York, at the United States Court House, Courtroom 218, 300 Quarropas Street, White Plains, New York 10601, at a date and time to be determined by the Court, for an Order dismissing Plaintiff Elizabeth Petrosino's Second Amended Class Action Complaint (the "SAC") as to those claims brought on behalf of putative class members located outside the forum state of New York on the grounds that the Court lacks personal jurisdiction over SPI as to claims alleged in the SAC on behalf of putative class members residing outside the State of New York.

PLEASE TAKE FURTHER NOTICE that in support of its motion, SPI relies upon this Notice of Motion, the accompanying Memorandum of Points and Authorities, the Declaration of Barbara Roll, and accompanying exhibits, any reply memorandum, the pleadings and files in this action, and such other matters as may be presented at or before the hearing.

PLEASE TAKE FURTHER NOTICE that counsel for SPI hereby requests oral argument.

Date: June 22, 2018

Respectfully submitted,

s/ Gavin J. Rooney

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